HIGH COURT OF UTTARANCHAL AT-NAINITAL.

Writ Petition No. 836(S/S)2004

Suresh Chandra Sharma S/o Sri B.D. Sharma,
Posted as Assistant Teacher,
Junior Basic School, Budham (Sukhidhang),
Tehsil Poornagiri (Tanakpur),
District Champawat. ….Petitioner.

Vs.

Director of Education (Basic & Secondary),
Uttaranchal, Dehradun and four others. …..Respondents.

Sri Manoj Tewari, learned counsel for the petitioner.
And learned counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Manoj Tewari, learned counsel for the petitioner and learned Standing Counsel for the respondent.

By means of this petition, the petitioner who is Assistant Teacher in Junior Basic School, Budham (Sukhidhang) district Champawat, has prayed for a writ, order or direction in the nature of mandamus commanding the respondents to pass appropriate orders on the representation of the petitioner for his transfer at some accessible place in the light of medical reports issued by the Medical Board.

Counsel for the petitioner has submitted that in the last week of September 2003 he met with an accident, which resulted disk-slip, since then he is having the backbone problem. The present school, in which the petitioner is teaching, is about 25 kms. from motor head. Consequently, the petitioner has applied for his transfer to some accessible place keeping in view of his ailment. The petitioner has already filed representation before the authority concerned.

Considering all these facts, the Addl. Director of Education (Basic & Secondary), Uttaranchal, Dehradun is directed to decide the representation of the petitioner and pass suitable offers within a period of three weeks' from the date of receipt of a certified copy of this order. While taking decision on the representation of the petitioner, the medical certificates submitted by the petitioner shall be taken into account.

The petitioner shall submit his representation alongwith the copies of the medical certificates and copy of the writ petition to the Addl. Director of Education within a period of one week from today.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

July 23, 2004:
NCM: